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SATURDAY, AUGUST 13, 1791.

[Whole No. 239.]

PHILADELPHIA, AUGUST 13.

[The very interesting Case which was determined on the 3d instant, in the Supreme Court of the United States, held in this city, having engaged the public attention, we presume it will be agreeable to our readers to see an accurate statement of the proceedings in that case, which we are authorized to say is authentic.]

SUPREME COURT OF THE UNITED STATES.

TUESDAY, August 2, 1791.

WEST, *Plff. in error*, } WILLIAM BRADFORD, Esq. of
BARNES, *et alius Defs.* } presented to the Court a paper purporting to be a Writ of Error, from the Circuit Court of Rhode-Island, issued in the name of the President of the United States, and tested by the Chief Justice of this Court, directed to the Judges of the Circuit Court of Rhode-Island, and signed by the clerk of the same: it was accompanied with a copy of the proceedings had in the said Circuit Court, and with an assignment of general errors.

On motion of Mr. Bradford, ordered by the Court, that the writ, with the errors assigned, be read by the clerk. On this Mr. Bradford moved the Court that the defendants in error be directed to rejoin.

David L. Barnes, Esq. of Massachusetts, one of the defendants in error, and a counsellor of the Court, rose and stated to the Court that the proceedings in the above cause could not be properly before the Court: that the Writ presented as a Writ of Error, could not in law be regarded as a good Writ of Error, being deficient in those particulars which give a Writ of Error its effect—that it was not properly a Writ from the Supreme Court of the United States, as it was not signed by the clerk, nor sealed with the seal of the same; but was more properly a Writ from the Circuit Court of Rhode-Island, directed to itself, although issued in the name of the President of the United States, and tested by the Chief Justice of this Court, still that all the process of the Court of the United States was in the same style—and that to possess these particulars cannot make a writ good unless accompanied by the signature of the clerk and the seal of this Court—that he conceived there was an absurdity in a Court issuing a writ directed to itself, to cause its own proceedings to be removed to a higher Court for revision; he therefore prayed the opinion of the Court, whether he should rejoin to the errors assigned, or not; considering the proceedings as by no means regularly before the Court.

Mr. Bradford, in reply, after admitting that the Court could not sustain the motion unless the proceedings were regularly before them, observed, that a Writ of Error, by the principles of the common law, and of the act of Congress, was a Writ of Right, and that it issued of course upon the application of the party. That it was merely the form by which a suitor expressed his desire to avail him of the benefit of the appellate jurisdiction provided for in the constitution, and to which he was entitled. That in all cases of appeal, the act of the party, without any writ whatsoever, was sufficient to bring the cause before the superior tribunal; and though in cases of error a writ was necessary, yet the laws of the United States had neither prescribed the form, directed by whom it was to be authenticated, nor declared from what Court it was to issue. All the substantial provisions of the act had been complied with. The party had sued it out—had given security to prosecute it to effect; and the proper Judge had thereupon issued the citation to the defendants in error, which was tantamount to a regular allocatur. The writ was in the name of the President of the United States, was tested in the name of the Chief Justice; and whether it was signed by the Clerk of the Supreme or of the Circuit Court, was only matter of form, and wholly immaterial, where that form was not positively prescribed. The plaintiff had availed himself of such a form as the necessity of his case suggested, and he ought not to be injured by it unless he was clearly wrong.

He said that in turning this question in his mind, he found himself deprived of his usual guides. There was no express Legislative direction, no Judicial decision, nor even any Rules of the Courts established, from which he could argue. But he apprehended the meaning of Congress might be inferred from other provisions in the act; and it was fair to argue *ab inconvenienti*, where the position contended for did not contravene the express intention of the Legislature.

He remarked that a Writ of Error was a superfluous to an Execution, and that, if it were not so, a party might be ruined by an erroneous judgment before it could be reversed. But the act, in § 14, had directed that it should be a superfluous and stay Execution only when a copy of the Writ of Error is lodged for the adverse party in the Clerk's office, where the record remains, "within ten days (Sundays exclusive) after the rendering the judgment complained of." He said that the benefit of a superfluous was an important one, and was intended for all the citizens of the Union; but on the construction of the defendants in error, it could be enjoyed by those only who resided near the seat of the National Government. It would be mockery to tell a suitor in Georgia or Kentucky, that he should enjoy this benefit, "provided he would go to Philadelphia and return in ten days." In those Districts the powers of magic would be necessary to obtain the benefits of the act; and unless the days of chivalry were to return, when a man could mount on the back of a Griffin and pass through the air, the extreme parts of the Union could never enjoy them. The Legislature therefore must have intended, that the writ should issue in such manner as to secure the party the benefit of a superfluous, and consequently in the district where the judgment was rendered. A contrary construction imposed folly or partiality to the act.

That the citation which accompanied the Writ of Error, and formed it as it were, a part of its constitution, was directed to be issued by a Judge of the Circuit Court: and it was reasonable to infer that a Writ of Error might be authenticated under the seal of the same Court.

That there was nothing in the nature of a Writ of Error which required it to be issued by the Court to which it was to be returned: and that the word *return* used in the act, did not in legal understanding, import a sending back, or that a writ issues from the Court into which the proceedings are to be transmitted. That in England it issued out of Chancery, whether it was to be returned into the King's Bench, Exchequer Chamber, or Parliament. That its true definition was, "A Commission to a Superior Court to examine the judgment of a Subordinate Court of record;" and that the will of the party expressed in such a writ as the present, was a sufficient Commission, in a case where the right of appeal was clear, and no particular form established.

Here Mr. Bradford was asked by the Court how on these principles, they were to proceed in case a Circuit Court should refuse to obey the writ? He answered, that a rule to return the writ and proceedings, might be obtained in this Court, and obedience to it enforced in the same manner as if upon an appeal, the inferior Court should refuse to send up the decree that was complained of.

As to the return which had been objected to, he said it was sufficiently regular. It was under the seal of the Court and signature of their Clerk, and must be considered as the return of the Court. —There was no need of the signature of the Judges; and constituted as the Circuit Court was, it could not be expected. One of its Judges was indeed a certain person and resident in the district; but where should the Clerk look for those Judges of the Supreme Court who happened to be on that Circuit—they might be very distant from the district when the return was required. But he would not dwell on that point, and concluded, by repeating his motion that the defendant might rejoin.

Mr. Barnes said, he had nothing to add to what he had before offered to the Court, but submitted the matter to their determination.

The Court then informed the parties, that they would consider the question—and adjourned until the next day at ten o'clock.

WEDNESDAY, August 3d.

Court being opened, the Chief Justice mentioned that the Court were about to deliver their opinion on the question submitted to them yesterday.

Judge IREDELL.

THERE are two questions before the Court, 1st. Whether the transcript of the record be returned here, in consequence of a Writ of Error issued agreeable to law? 2d. If it be so, whether the return of it be regular?

As to the first question, it is objected that the Writ can only issue out of the Supreme Court, which is to correct the error complained of, if there be any: Whereas the present Writ has issued out of the Court which is alleged to have committed the Error.

I am of opinion, that the objection is a good one, and shall give my reasons as clearly as I am able.

The Act of Congress, which contains all that concerns Writs of Error, is silent on this point.—Though it gives other directions, it does not say out of what Court the Writ is to issue.

We are therefore under the necessity of determining either by former principles of law (if such apply) or by analogy and reason.

As to the former, so far as precedent is concerned, we have no certain guide. The practice in England is, for this Writ to issue out of the Chancery, the general depository of all original Writs: No such practice in America has obtained generally. In New-York indeed, I believe, Writs do issue out of the Chancery, by an express Act of Assembly. There may possibly be one or two other instances, though I do not know that there are. But it is certain the general practice in America has been other wise.

We must consequently decide in this case, by the reason of the thing, and having reference as nearly as we can to general principles of law.

The 14 Section of the Judicial Act enacts, "That all the before mentioned Courts of the United States, shall have power to issue Writs of *Scire Facias*, *Habeas Corpus*, and all other Writs not specially provided for by Statute which may be necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law."

There are only three ways in which the Writ in question can issue.

1st. Out of the Supreme Court.

2d. Out of the Circuit Court.

3d. Or out of either, optionally.

The last method would create such confusion and irregularity, it is presumed nobody would contend for it. Nothing could appear more ridiculous than a Record in which upon one page should be contained proceedings removed by a Writ of Error, issued out of one Court, and, upon the next, proceedings exactly similar, though between different parties, removed by a Writ of Error issued out of another Court.

That it should issue out of the Supreme Court, is natural and obvious, because it is their duty to administer the remedy wanted. Inconveniences only could have suggested the reversed mode, of applying for a remedy to the very Court which had occasioned the grievance.

A Writ from a Court to itself seems absurd. Could any thing be more monstrous than that a Court, upon being informed that a party wanted a Writ of Error, should direct their clerk to make out a Writ directed to themselves? If a thing is right to be done, and the same Court is to do it, it would seem proper that it should be done on motion. But surely the law would be very unwise, in trusting the only remedy for Error with a Court that had committed the Error. It does not act so weakly as to suppose that even Courts of Justice will always do what they ought to do. And though afterwards this Court might compel them to do what was right, yet the law will not suffer an incongruous proceeding in the first instance, for the sake of a complete remedy in the second. But even in this instance, it might not be complete, for the ten days after judgment, within which a copy of the Writ must be lodged in the Office, or Execution cannot be stayed, would almost in every case elapse before the final remedy could be obtained.

This indeed is the great objection, and the only plausible one, to the Writ issuing out of the Supreme Court. And it has been urged, and pressed with much force and ingenuity by the Counsel for the Plaintiff in Error, that the right of obtaining a Writ of Error, might, upon this construction be rendered nugatory in almost every instance.

This inconvenience does indeed exist. It is a very weighty one, and I heartily wish, it was in the power of the Court, by a construction that could be justified, to remove it: but I think it is not.

An argument grounded on inconveniences is, to be sure, in many instances, admissible, and in some even necessary. But I apprehend that it is to be used with great caution, lest a Court, under color of a construction of an act of the Legislature, should, in fact, encroach on the legislative authority, a thing of the utmost moment to be avoided.

The argumentum *ab inconvenienti*, I think, applies in no other instance but this—where two constructions stand, as it were, in equilibrium, or nearly so; in such a case undoubtedly a Court would suffer the scale to preponderate on that side where the inconveniences, upon the whole were fewest—because by such means it is most probable they would retain the true sense of the Legislature. They are compelled to make a choice; and the preference is not only justifiable, but in some measure unavoidable.

But certainly there is no room for the application of that principle to the present case, where the two constructions opposed to each other can bear no manner of comparison.

It has been argued, that it could not be presumed the Legislature intended to make a provision almost entirely nugatory, and that therefore a construction which supposes such an intention must be erroneous.

This is grounded upon a supposition, that when the Legislature passed the law in question, they knew how the principles of law on this subject stood before, and were of course aware of all the consequences.

In construing Legislative acts, a method of arguing like this has sometimes been adopted, and possibly in some instances, where the previous law was probably generally known, it may be very proper. But surely an argument grounded on a supposition that notoriously is not true, cannot be a good one. No Legislature that exists on earth doth in fact possess extensive and critical legal knowledge. It would be very extraordinary if any did. It is not necessary that every Member should be a Lawyer. It is not necessary that any should. The proportion of Members who are Lawyers, to those who are not such is in general small. They in no instance, I presume, form a majority. It is therefore not only probable, but natural and scarcely avoidable, that a Legislature in framing a new law, on an intricate legal subject, are not aware of all the consequences resulting from it. Even the greatest Lawyers, in the complex business of Legislation, may not immediately see all the consequences incident to a new system introduced. Accordingly, it has been often remarked, that scarcely any alteration of the common law, however minute, has at any time been made, but it required one or more, frequently many, subsequent amendments. The difficulty must of course be much increased, when an entire new system was to be created, and a vast variety of objects was to be embraced at once. But the argument as to intention, is not complete, without supposing, not merely that the Legislature did not intend that the Writ of Error should issue out of the Supreme Court liable to the disadvantages mentioned, but that it did intend it should issue out of the Circuit Court, notwithstanding the objections that so obviously lie to that method. And this, I think, no man will suppose.

It has been further contended, that all that was absolutely essential in respect to obtaining a Writ of Error was that the party should signify his wish to obtain it: and that the manner of granting it was merely form, which should not be rigorously insisted upon, at the expense of real justice.

But this surely is much too loose; the common law is simple and energetic; it delights in certainty; its methods of proceeding are all accurate, and not depending on irregularity or caprice. There is scarcely any instance in which the forms it requires are not a proper guard for substantial justice; and therefore, when it chalks out a method of redress, it insists that that method shall be strictly pursued, in order that all its proceedings may be uniform and perspicuous, and serve as a plain precedent to future times.

It has been also urged, that by the construction given by the council for the defendant in Error, the plaintiff would be defeated of a remedy to which he was entitled by the Constitution and Laws of the United States.

The part of the Constitution affecting the subject (art. 3, part of sect. 2) runs thus:

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction: in all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make."

The whole subject, therefore, is referred to Congress; and though they undoubtedly did intend to give a complete remedy, yet, if it appears, upon a necessary construction of their act, that they have not in fact done so, it is not in the power of this Court to supply the defect.

There is only one instance which I have been able to find (if that be one) wherein a Writ has ever issued out of a Court directed to itself: but there the circumstances are peculiar; and will not apply to the present case.

The instance I allude to, is in a case where a judgment is given in the petty bag in the chancery in England (whose proceedings are in such cases at common law) upon which it is said a writ of Error lies returnable into the King's Bench; the jurisdiction in this case is something doubtful; Coke and Blackstone both assert it: (4 Inf. 80. 3 Blackst. Com. 49) But Sir Francis North, who was lord keeper in the time of Charles II denied it; for upon his being applied to for liberty to take out such a writ, he refused his consent, and said he would enjoin all such Writs of Error. (1 Veru. 131) In what manner it issues I have not been able to discover: it is said none have issued since the time of Queen Elizabeth (3 Blackst. Com. 49) But Writs of this nature, though they issue out of the Chancery, do not issue by order from the chancellor or keeper, nor do I conceive he has authority to stop them in cases where they are due of common right. There are various officers for various purposes in the Court of Chancery. It is the particular duty of some of those officers to issue Writs, and I apprehend they are bound to issue them at their peril. It is evident the consent of the lord keeper in the above instance was not necessary, for the out of deference he was applied to for his consent, he did not merely refuse to give it, but said he would enjoin such a Writ of Error. That could not have been the case, if his consent had been previously necessary to obtain it.

But the clerk of a Circuit Court has certainly no independent authority to issue a Writ; but can issue such only as the Law expressly permits, or the Courts order him.

I am extremely sorry to be under the necessity of voting for a decision which may be attended with the great inconveniences pointed out: but in my opinion, the Legislature only can remedy them.—It is of infinite moment that Courts of Justice should keep within their proper bounds and confine, not amend, acts of Legislation. In England, where accurate ideas of law have long obtained (at least in general) inconveniences have frequently been experienced upon trial which were not foreseen. The Courts of Justice in that country formerly countenanced *Fiditions* to get clear of them; and many such are now tolerated, in consequence of a very long acquiescence. But according to the improved ideas of constitutional liberty at the present day, no court would dare to introduce, or countenance new ones; they would leave the redress to the proper authority, the Legislature. I trust in America this plain and honest path will constantly be pursued. In no particular are the liberties of the people more deeply interested.

My opinion being, for the reasons I have given, that these proceedings are not brought before the Court by a legal Writ of Error; it is unnecessary, and would therefore be improper, that I should give any opinion upon the second question, the discussion of which was only material if the first had been determined in the affirmative.

[The above is the substance of Judge Iredell's argument. As he spoke chiefly from short notes, it cannot be expected that the very words should be retained, though it is apprehended they are nearly the same, with the addition only of one or two observations, which were inadvertently omitted in the delivery, but which do not materially change the general ground of the argument.]

(The remainder in our next.)

FOR THE GAZETTE OF THE UNITED STATES.

[The following was sent to the press prior to the accounts which have been received of the recent fall of Script—but it is judged expedient to pursue the publication, as it may furnish better data for future calculation than have hitherto governed.]

THE extraordinary and still increasing rise of public stock, including that of the bank of the United States, is such as cannot fail to impress on sober minds an apprehension for the consequences. There is room to fear that it will be so wrought up, as to prove a bubble, ruinous to the fortunes of many individuals, and, for a time, hurtful to public credit. To check, if possible, this rage, and indicate the point at which the value of the different kinds of public stock is likely to become stationary, is an attempt, recommended both by tenderness to individuals and regard to public good. It is to be feared indeed that already the matter has proceeded so far, that the propagation of more just ideas, may tend to the injury of not a few; but it is better to hazard this consequence, than to forbear a discussion which may contribute to prevent the further progress of a spirit which may be productive of general calamity.

Nothing can be more erroneous than the foundation upon which are built the hopes of those who consider the present prices of stock, as still short of what they will attain at a period not far distant, and who make vast speculations on that idea. It is common to hear it said that British four per cents are above par—Why then should not American six per cents be worth thirty shillings in the pound?

They cannot be so, for the most obvious reasons.—The market rate of interest of money in England is four per cent.—in the United States it is not less than six, excluding the operation of those causes, which at present raise it beyond that point. A citizen of Great-Britain will not purchase stocks in this country which yield him only four per cent, when he can purchase those of his own at the same rate. Distance will be an objection to it—He cannot turn his property here as quickly as if it were in his own country, either to apply it to any beneficial undertaking, or to secure himself, on the prospect of any disastrous event in public affairs—He cannot receive the dividends as expeditiously in one case as in the other—He must pay a commission to agents, who receive and remit, and is subject to loss from the state of exchange. All these differences cannot but be estimated as equivalent to 1 per cent. Hence American 6 per cents, considered as a perpetuity, could not be worth more than 24*s*. in the pound. Considered as a fund redeemable in certain proportions, they are worth considerably less.

Turn to Holland—The usual rate of interest given there by foreign powers, and hitherto by the United States, computing the charges, is not less than 5*½* per cent. Suppose, as is not improbable, the United States should be able to borrow there in time to come at 4*½* per cent. including charges—suppose even four, which is remote and improbable—as allowance must be made for the same circumstances which have been mentioned in respect to England, the conclusion must be the same in relation to Dutch as to English purchasers. It is not probable that the Dutch capitalist will be disposed to speculate in the funds here, when they yield less than 5 per cent.

It ought to be remembered that the United States have still considerable loans to make in Holland to pay the arrears to France; and that they will continue to have from year to year, for several years to come, loans to make to reimburse the installments of the foreign debt, which will be yearly falling due. This employment for Dutch capital in new loans to the government of the United States, will necessarily impede speculations in the existing debt, when they no longer afford a considerable profit.

Let it also be recollected, that both English and Dutch capitalists are discovering, that lands, canals, and a variety of other objects, afford scope for speculation more profitable than the funds—and that when no longer allured by considerable profit, they will divert their speculations from the latter to the former. This has in fact already begun.

That foreign speculations in our funds have of late abated, may be inferred from the present scarcity of bills on Europe, and the sudden rise in the rate of exchange.

How then are these high prices which some people dream of to be supported? Is our own capital equal to it?—When the funds shall no longer yield even five per cent. and foreign purchases are at an end, who will be found to deal in the funds, while immense tracts of waste land, as well as commerce and manufactures, invite to a far more profitable employment of money?

The cause of so many being now embarked, is the expectation of still higher prices from foreign purchases; but when it is discovered that this

expectation has been too sanguine, it may be counted upon that a large part of the domestic capital now engaged in the game will be withdrawn.

With regard to bank stock, it is more difficult to reason with precision. The imagination has here too much scope. Dividends from twelve to fifteen per cent. are talked of; but it is not difficult to shew that these are impossible; and on cool examination it will appear that even eight per cent. which seems to be the lowest supposition, is a point not too much to be calculated upon.

Stating $\frac{1}{4}$ of the whole capital as drawing an interest from the government of 6 per cent.—this will only be $\frac{1}{4}$ upon the entire capital. Suppose the rate of discount to be 5 per cent. as it is the general opinion it ought to be; and suppose employment found for the whole capital, inasmuch as the bank cannot lend beyond its capital, it cannot make more by its discounts and loans than 5 per cent. Hence the whole income of the institution, on the most favorable supposition, can never exceed 9*½* per cent. from which is to be deducted the expence of management.

The current calculations on this subject include the deposits as a source of additional profit; but they will be no otherwise so than as they will enable the bank to operate beyond its specie capital. They cannot enable it to have a greater sum at interest at any one time than 10,000,000 dollars; for though the debts of the bank may exceed its capital, to the extent of the deposits, yet as the credits given for the deposits will carry no interest, the sum of 10,000,000 will always remain the utmost limit of the loans and discounts of the bank, and will alone produce interest.

But the above product of 9*½* per cent. including charges of management, ought not to be counted upon. It ought to be remembered, that it is in the discretion of the Directors to have branches or not; and the propriety of having them, is a question at least of delicacy. If there are none, it is far from certain that employment will be found for the entire capital of the bank, in the sense in which it is expected. I say in the sense in which it is expected—for that part, which consists of stock, is, by its very constitution, in employment—but the calculation is upon a double employment.

It ought also to be kept in view, that a part of the stock drawing interest from the public, will be redeemable at pleasure—and that the residue is redeemable in certain proportions. Whatever part from time to time may be paid off, cannot be replaced in loans to the government at the same rate of interest—since it is evident in every view, that the government will not be disposed to give more than 5 per cent. These considerations go in diminution of the expected profits of the bank.

Upon the whole, if bank stock shall yield a nett profit of 7*½* per cent. it ought to satisfy every reasonable expectation. It is to be hoped that while the directors are guided by a liberal temper, they will not be disposed to run rashly into forced and critical operations.

It were not an extravagant supposition that the stock of the bank of the United States may settle down at fifty per cent. above par; and six per cents at about 10 per cent. above par, and other stock in the like proportion.—But this is already short of the standard which governs the present course of speculations, and far short of that to which they seem to be progressing. Let prudent men beware!

It ought not to be overlooked that our government is yet in its infancy, and that though from its structure, it merits all possible confidence, there may nevertheless be accidents which for a time would give a shock to public opinion very pernicious to those who outrun the limit of prudence.

A general Indian war, of which it must be confessed, there is no present appearance, but which there are causes enough to produce; a war with any foreign power, which though not likely, is in the ordinary course of human events; a strong appearance of opposition in any quarter to any of the laws of revenue; the death of the President, and a variety of other casualties, the possibility of which ought not to be lost sight of, would very sensibly affect the state of the funds in this country—where long habit and experience have not yet served to confirm the stamina of public confidence.

These remarks are designed as cautions against the excess of a spirit which has hitherto done good, but which carried to a certain extreme will do much harm. It is probable however they will be little attended to. For the history of the public funds in every country affords examples of the same malady which appear to have seized many among us, and for which the only cure has been found to be—the discipline of the sufferings which have attended it.

Advice, if solid, may however prevent the disease becoming altogether epidemic.

A REAL FRIEND TO PUBLIC CREDIT.

PETERSBURG, May 6.

THIS day our court has published a particular account of the glorious expedition of Lieutenant General Prince Gallitzin against the body of Turks that was posted in the fort of Maczin and the fortifications of Ibrailow. His operations which met with such complete success were carried on from the 4th to the 12th of April, and cost the enemy 4000 men and 25 pieces of cannon, an immense quantity of ammunition, and several vessels, either sunk or destroyed. The end of the expedition having been attained, and the body of troops commanded by Prince Gallitzin too small to stand without support beyond the Danube, was employed during the night of the 12th of April, in levelling the fortifications, and then retired without accident to Galacz.

W A R S A W, May 18.

The king has named the ministers who are to compose his council, all agreeably to the regulations established by the new constitution.

In the sittings of the Diet of the 15th and 16th of this month, the examination of the project presented by the committee of the Constitution for the organization of future Diets, was finished. This plan though very voluminous, and composed of 24 articles, was adopted unanimously, and without a word of debate. Every thing promises that the constitution will be completed in the month July next, and then the states may be dismissed.

We every day receive from all parts of the kingdom, the oaths by which citizens, tribunals, civil and military officers of the Palatinats and the different bodies of troops bear testimony of their acquiescence in the new order of things.

In the sitting of the 17th, a very interesting scene took place on the lecture of a note which the Comte de Goltz delivered relative to the new constitution. In it the King of Prussia renews the assurances of his friendship for the King and the Republic. After the lecture of this note M. Kurkoloski spoke against the new constitution, and concluded with saying, "that it was not surprising that the king of Prussia, should approve a constitution the plan of which he had assisted in framing." This bold assertion struck the Assembly with astonishment. A general expression of indignation was ready to burst on the author of it; when, the king, to shew the falsity of it, said that M. Drieduzky Secretary of the committee of foreign affairs, held in his hand a note of the Comte de Goltz, written the evening of the day on which the revolution took place, in which he unequivocally expresses his surprise that the court of Poland had kept the plan a secret from his master, their ally.—After these few words were uttered M. Kurkoloski, was covered with confusion.

COPENHAGEN, May 21.

Three hundred vessels of different nations have passed the Sound since the 17th inst. Some English vessels among the rest, bound for Petersburg.

The city of Dangberg, in the Bishoprick of Wybourg, has been almost totally destroyed by fire.

Government has just laid an additional tax upon Brown Sugars, imported into Denmark and Norway for consumption there. Sugars imported to supply foreign countries, are not subject to this new duty.

VIENNA, May 25.

The Emperor has given orders that arms should neither be given nor sold to French refugees in any part of his dominions.

The Elector of Saxony has not yet been able to give a positive answer concerning the Crown of Poland, which is offered him by the New Constitution of that kingdom. He is to call a meeting of the States of Saxony, and consult their opinion. Hitherto the crown of Poland has proved a fatal present to the Electorate; but times are changed; and Saxony having had time to repair the effects of its former misfortunes, is now able to defend its new good fortune.

Fortunately, Prussia at this time is desirous from motives of self interest, to see this political marriage take place between Poland and the Electorate.

JUNE 1. It is now too evident, any longer to doubt, that the efforts of Austria are all directed to lay aside the declarations of Reichenbach in the present negotiations. Those former declarations were merely calculated to conceal her close alliance with Russia; which alliance has been kept in full energy, by the activity and good faith of the two parties. All our ports in the Adriatic sea are open to Russia: There they fit out their fleets, they there seek refuge when pressed, and there they repair their vessels. At this very moment their flotilla under the command of Col. Lambro Cazzoni, is in our ports.

The Count Elgin, Envoy Extraordinary from the Court of London, met his Imperial Majesty at Mantua, had a long conference there, and im-

mediately after it dispatched a courier to London. The Count is soon expected here to reside.

It appears that the Russians have discontinued their offensive operations against the fortresses of Brailow, and even have given up the execution of their projects against Bulgaria. It is probable that the importance of the forces under Jussuf Pacha is believed, and that Prince Repnin thinks it prudent to remain on the defensive.

The last dispatches from Petersburg contain letters written in the Empress's own hand writing. They were immediately sent by express to the Emperor in Italy. Baron de Buhler, who was the bearer of them, returned immediately to his court.

AMSTERDAM, May 30.

By a letter received from the Helder, dated on Saturday last, we are informed, that Vice Admiral Kingbergen, who has for two years commanded the fleet of observation, had struck his flag, and that the whole fleet was going to be laid up in ordinary.

The Directors of the East-India Company have come to the resolution of recalling M. de Graaft, Governor of the Cape of Good Hope, and of sending a deputation to regulate the contested affairs, and repress the divisions in the said colony.

BASLE (Switzerland) June 1.

We hear from Berne, that the French emigrants are very numerous in that city: Most of them have been absent from France since the beginning of the Revolution; some from Italy; others return from Germany. They boast of their intentions to effect a counter-revolution; but the only step they appear to have taken towards this, is, wearing white cockades.

PARIS, May 26.

Yesterday, for the first time since the barbarous, impolitic, and ever to be execrated revocation of the edict of Nantz, a congregation of Protestants were seen in Paris, under the Aegis of the law, publicly worshipping the Eternal, according to their rights!—M. Maron officiated as Minister, and it is but justice to say, that we never saw a Clergyman perform the service with more fervency, order and propriety,—his text was “la nuit et passée; le jour est levé,” “the night is far spent, the day is at hand; let us therefore cast off the works of darkness, and put on the armour of light.” Romans, chap. xiii. v. xii. xiii. He dwelt long on the goodness of the Divinity, that, in his wisdom, suffered man to be persecuted to try his faith. He expatiated widely on the sage and philanthropic decrees of the National Assembly; and earnestly exhorted his auditory to prove their gratitude by a strict, formal, and an uninterrupted obedience to the law, the nation, and the king. There were above 2000 present on the occasion, all the English in Paris assisted—the attraction was irresistible.

We learn from Nantz, that the society of the friends of the constitution there, not only went into mourning for Dr. Price, as the Jacobins here did, but have resolved to place his bust in their hall, beside the Declaration of the rights of Men—to name one of the quarters of the town, consisting mostly of new buildings, LE QUARTER DE RICHARD PRICE, and annually, on the 4th of November, when they celebrate the English revolution, to read his funeral oration.

The greatest preparation is making in the plain of the confederation for the celebration of the ensuing birth-day of liberty, the 14th of July. Last week there were not less than ten thousand persons employed; the number, however, is now reduced to about eight thousand.

NATIONAL ASSEMBLY, MAY 23.

M. le Grand, member of the ecclesiastical Committee, proposed, that the eighty-six convents in French Flanders should be reduced to nineteen, which was agreed to by the Assembly, though opposed by M. l'Abbe Brewart, who pronounced an eulogium on the monastic life, notwithstanding they were invited to quit it.

M. de Montesquieu presented a state of the daily reports, whereby it appeared, that the deficiency for the month of April alone amounted to upwards of 24,262,000 livres.—He proposed that on the 14th of each month, the superintendent of the public treasury should deliver in an account of the receipts of the preceding month; that as the expenses of each month may amount to 48,558,333 livres, the extraordinary bank should pay into the public treasury whatever part of that sum should be deficient; and that to defray the deficiency of the month of April, the said bank shall immediately pay the sum of 24,262,505 livres. The proposal was adopted without opposition.

MAY 25. M. Bouche suggested an amendment to the resolution of paying four millions as a dower, granted by the National Assembly to the Queen, on condition of her surviving the King. He proposed that the four millions of livres should be paid to the Queen, only on condition of her continuing to reside in France. The Assembly, however, did not adopt his proposal.

A decree was afterwards passed, confirming the King in the possession of the domains and country seats of which his Majesty a year ago expressed his intention to retain the possession.

LONDON, June 6.

According to a speech of the Attorney General in the House of Commons on the subject of libels, it appears that in the last thirty years, the number of prosecutions on that account, amounted to seventy—amongst them some were against the scriptures, others against the king, against the revolution, the government and other objects, and some were obscene.—Fifty of these had been convicted—of the other twenty, some had absconded, and allowed judgment to pass by default, and a few had been pilloried.—Five he believed was the number sentenced to the pillory, two of whom for publishing obscene books—one of them was however pardoned it having been proved that he was not accessory to the publication, being ill at the time—two were for libels against his Majesty, and two for libels on the Russian Ambassador, &c. these were all that in the course of thirty years had been sentenced to that punishment.

According to the account given of M. de Mirabeau's illness, by M. Chabouis, his friend and physician, he said not long before he died, of our Mr. Pitt, “This Pitt is the minister of preparation; he governs by what he threatens rather than what he does. If I had lived, I should have given him I believe some mortifications.” M. Mirabeau conceived, says M. Chabouis, that liberty acquired by insurrection, should be maintained by respect for the laws—and that the laws could not be executed but by an active power; and that the alliance of a good democracy and of monarchy was the natural form of government; and that no other form could equally unite the vigilance of constant regulation to the inviolable security of national freedom.

JUNE 12.

HOUSE OF LORDS.

ROMAN CATHOLIC BILL.

In a committee, Lord Cathcart in the chair, the bill was read clause by clause, and a number of amendments were proposed, some of which were accepted, particularly the alteration of the oath enacted in the year 1778, as a qualification for the Irish Catholics.

The Bishop of London moved, “That Catholic Schoolmasters should be restrained from setting up Schools in the two Universities, and from educating the children of Protestant Parents.” After a debate, the amendment was agreed to.

HOUSE OF COMMONS.

LIBELS.

Upon the motion for the third reading of the bill for confirming the Rights of Juries in cases of Libels.

Mr. Fox, in order, he said, that as few quibbles might be furnished by this bill as possible, would move to leave out certain words which admitted of different constructions, and whereby juries had been limited in their jurisdiction, but which this bill sought to extend. The words he moved, were, after matter at issue before them; it having hitherto been the practice of the Courts only to suffer the jury to find the defendant guilty of publishing; then the criminality of that publication, if seditious or defamatory, was confirmed, and the defendant found guilty, without leaving to the Jury to decide, with what disposition and spirit he published the paper containing the Libel.

The motion being seconded, the amendment was adopted—whereby the whole of the matter at issue is left to the determination of a Jury.

LONDONDERRY, May 24.

On Saturday last, Mr. Cox finished his contract for erecting the Bridge over the river Foyle.—When we consider the immensity of the undertaking, and the shortness of the time in which it has been completed, we cannot too much admire and applaud the genius and execution of this most able artist. He began and completed the whole work in little more than twelve months; and if a sufficiency of timber had been always at hand, it would have been finished much sooner.

Philadelphia, August 13.

Extract of a letter from London, to a house in this city, received by the Lark, arrived at New-York, dated June 7th.

“The dispute with Russia is yet unsettled, but I think it will be adjusted in an amicable manner this summer, and a general peace take place throughout Europe. I would advise you, therefore, to make no speculations that are not founded on pacific principles; and with regard to the prices of your produce, you will be guided by the advices you may receive from different quarters. The crops of grain in Europe have, from all accounts, the most luxuriant appearance, but particularly so throughout this island, where every kind of grain is really abundant and promising.”

On Tuesday afternoon, TIMOTHY PICKERING, Esq. arrived in this city from the Indian country, whither he had been sent by the President of the United States, to negotiate a treaty with certain Indian tribes. We have every reason to infer, when we reflect on this gentleman's acknowledged abilities, steadiness, and moderation, that he has satisfactorily completed the very important objects of his mission.

A District Court of the United States, for the District of Pennsylvania, was held last Tuesday at the New Court-House in this city, where a grand jury was impanelled, and an excellent charge delivered by the Judge, William Lewis, Esquire.

Several bills were laid before the grand jury, after which the Court adjourned until Wednesday, ten o'clock.

The French Sloop of War, La Favourite, Monf. Riviere, Commander, is the first French ship we have seen in the Delaware with the National Colours.

During the late war between Great-Britain and the United States, M. de Ternant, now Ambassador from the Court of France, served as a Lieutenant-Colonel in the American Army.

Arrived at New-York on Sunday last, the Ship Ann and Susan, Capt. Duplex, in 62 days from Londonderry, with five hundred passengers; every one of whom paid their passage before they left Ireland.

APPOINTMENTS.

THOMAS JOHNSON, Esq. of Maryland, Associate Judge, in the room of J. RUTLEDGE, Esq. who has resigned.

MATTHEW CLARKSON, Esq. of New-York, Marshal of that District, in the room of W. S. SMITH, Esq. appointed Supervisor.

SCRIP.

NOW sixty years have roll'd about,
Since grandame Britain saw,
The famous south-sea-bubble-rout,
Rais'd by that schemer LAW.
Of golden mountains—in the moon,
What pictures did they draw!
And di'monds dimming sol at noon,
Form'd by that conj'r LAW.
But soon they found the bubble burst—
The balloon had a flaw;
And thousands found themselves accurst,
That built their hopes on LAW.
This fatal fact one would have tho't,
Should fill mankind with awe!
But we by ruin still untaught,
In SCRAP have distanc'd LAW.

The continuation of the ‘Political Sketch,’ and other articles, are unavoidably postponed till next publication.

From PELOSI's MARINE LIST.

ARRIVALS at the PORT of PHILADELPHIA.

Ship Brothers,	Hall,	Lisbon,
— Beatrix,	Agio,	St. Andero,
Brig Betsey,	Clark,	Cape-Francois,
— Molly,	Paul,	St. Croix,
Sloop Sally,	Preston,	Virginia.

PRICE CURRENT.—PUBLIC SECURITIES.

FUNDED DEBT.		
6 pr. Cents	22/6	pr. £.
3 pr. Cents	13/2	do.
Deferred 6 pr. Cents	13/4	do.
UNFUNDED DEBT.		
Final Sett. and other Certificates	20/6	102½ do.
Indents	13/2	66 do.
N. and S. Carolina debts,	18/6.	
Bank Subscriptions,	150 to 160 Dollars.	

ADVERTISEMENT.

BY late arrivals from France, the Editor has received from No. 10 to 31, both inclusive, of a Publication which comes out twice a week in Paris, entitled, “CORRESPONDANCE NATIONALE.”—From No. 1 to No. 10, have been shipped, but are not yet come to hand. Any person who may incline to subscribe for this work, which appears to be ingenious, impartial and patriotic, may be furnished with the numbers as they come to hand, by applying to the Editor of this Gazette.

New-Haven Wharf Lottery.

(BY ORDER OF THE MANAGERS.)

New-Haven, July 20, 1791.

THE Public are informed, that the Tickets in the New-Haven Wharf Lottery have met with a rapid Sale;—more than two-thirds are already disposed of. The DRAWING will positively commence on the 13th September next. Those Persons who have received Tickets to sell, are requested, without fail, to return to the Managers what shall remain unsold on the 10th September. Those who intend to become Adventurers in this Lottery, will do well to secure TICKETS immediately, lest, by delay, they lose the CHANCE of making their FORTUNES; as the Managers have no doubt the Tickets will all be SOLD before the 10th September.

A few of the above TICKETS may be had (if applied for soon) of Messrs. STEPHEN AUSTIN & Co. corner of Pine and Front-Streets—who are authorized to pay the PRIZES. Philadelphia, August 13, 1791.

IMPERIAL HYSON, SOUCHONG, and BOHEA

T E A S,

REFINED SUGARS, COFFEE, & SPICES, &c. &c.

Of the first quality—by retail,

No 19,

Third-Street, between Chestnut and Market Streets.

LOTTERY TICKETS,

Charlestown (Massachusetts) to commence drawing 1st Sept.
New-Haven Wharf, 13th do.
Massachusetts Semi-Annual, 2d Class, 13th Oct.
may be had as above.

BOOKS.

CAREY, STEWART, and Co.

No. 22, NORTH-FRONT-STREET,
HAVE FOR SALE,

A large collection of BOOKS;

Among which are the following
AMERICAN EDITIONS.

LOVELASS on Bills of Exchange.
Clerk's Vade Mécum.
Gilbert's Law of Evidence.

New Edinburgh Dispensatory.
Cullen's First Lines of the Practice of Physic.
Ruff's Medical Enquiries.
Brown's Elements of Medicine.

Osterwald's Christian Theology.
Rife and Progress of Religion in the Soul.
Necker on Religious Opinions.
Fordyce's Addresses to Young Men.

Sermons to Young Women.
Poor Man's Help and Young Man's Guide.
Newton's Dissertations on the Prophecies.
Lectures delivered by Soame Jenyns.
The Christian Remembrancer.
Future State Eternal.
Ruffel's Seven Sermons.

Ramfay's American Revolution.
History of America.
Morfe's Geography.
Siege of Gibraltar.
Shaw's Abridgement of Bruce's Travels.
Keate's Account of the Pelew Islands.

Pike's Arithmetic.
Gough's Arithmetic, altered by Workman.
Clark's Introduction to the making of Latin.
Dodley's Fables.
P. Ovidii Nasonis Metamorphoseon, I. X.
Philadelphia Latin Grammar.
Ruddiman's Rudiments.
Schoolmaster's Assistant.
Selectæ & Veteri Testamento Historiæ.
Scott's Lessons on Elocution.
Sargeant's Short Hand.
Wettenhall's Greek Grammar.
Young Man's Companion.
Catechism of Nature.
Hervey's Meditations.
Young's Night Thoughts.
Thomson's Seasons.
Rudiments of Taste.
Klopstock's Messiah.
Lavater's Aphorisms.

Kenner's Roman Antiquities.
Trimmer's Sacred History, 6 vols.
Nicholson's Navigation.
Alexander's Experimental Enquiries.
Experimental Essays.
Huxham on Fevers.
Virtues and Efficacy of a Crust of Bread.
Edinburgh Pharmacopœia.
Burke's Speeches and Political Tracts.
Beauties of the British Senate.
Davies's Dramatic Miscellanies.
Mills Murray's Mentor.
Stuart's View of Society.
Richard Steele's Correspondence.
Man of the Moon, 2 vols.
Dramatic Pieces.
Philadelphia, August 6, 1791.

WAR DEPARTMENT,

MAY 30, 1791.

INFORMATION is hereby given to all the military Invalids of the United States, that the sums to which they are entitled for six months of their annual pension, from the 4th day of March, 1791, and which will become due on the 4th day of September ensuing, will be paid on the said day by the Commissioners of the Loans within the States respectively, under the usual regulations, viz. Every application for payment must be accompanied by the following vouchers.

1st. The certificate given by the State, specifying that the person possessing the same is in fact an invalid, and ascertaining the sum to which as such he is actually entitled.

2d. An affidavit, agreeably to the following form: *A. B. came before me, one of the Justices of the county of in the State of and made oath that he is the same A. B. to whom the original certificate in his possession was given, of which the following is a copy (the certificate given by the State to be recited) That he served (regiment, corps or vessel) at the time he was disabled, and that he now resides in the and county of and has resided there for the last years, previous to which he resided in*

In case an invalid should apply for payment by an attorney, the said attorney, besides the certificate and oath before recited, must produce a special letter of attorney agreeably to the following form:

I, A. B. of county of State of do hereby constitute and appoint C. D. of my lawful attorney, to receive in my behalf of my pension for six months, as an invalid of the United States, from the fourth day of March, one thousand seven hundred and ninety-one, and ending the fourth day of September of the same year.

Signed and sealed
in the presence of

Witnesses.

Acknowledged before me,

Applications of executors and administrators must be accompanied with legal evidence of their respective offices, and also of the time the invalids died, whose pension they may claim.

By command of the President of the United States,
H. KNOX, Secretary of War.

CHILD'S AND SWAINE

Have now in the Press, and in a few days will publish
In a handsome Volume OCTAVO,
[PRICE ONE DOLLAR AND A HALF]

THE LAWS

OF THE

UNITED STATES OF AMERICA;

Collated with, and corrected by, the original Rolls in the office of the Secretary of State, agreeably to a resolve of Congress, passed the 18th February, 1791.

With a COMPLETE INDEX.

This volume will comprise the Federal Constitution, the Acts of the three Sessions of the First Congress, and the Treaties:—also, the Declaration of Independence, and sundry Resolves and Ordinances of Congress under the Confederation.
New-York, August 3.

Charlestown (Mass.) Lottery.

CLASS XXII.

THE MANAGERS of said LOTTERY present to the Public the following

S C H E M E

Of the TWENTY-SECOND CLASS,

Consisting of 7000 Tickets, at THREE DOLLARS each, 21,000 Dollars.

Prize of	2500 Dolls. is	2500
1	1000	1000
15	100	1500
20	50	1000
20	40	800
20	30	600
40	20	800
60	10	600
70	8	560
80	6	480
2008	4	8032

2335 Prizes,	17872
4665 Blanks,	328
7000 Tickets,	21000

This Class will commence drawing on or before the 1st of September.

TICKETS may be had of the several Managers in Charlestown, and at the usual places in Boston.

THOMAS HARRIS,
MATTHEW BRIDGE,
SAMUEL SOLEY, } Managers.

Charlestown, May 25, 1791.

HAZARD and ADDOMS,

No. 173, Market-Street,

HAVE TICKETS in the above, and in the Massachusetts Second SEMI-ANNUAL LOTTERY, for Sale.

MASSACHUSETTS SEMI-ANNUAL LOTTERY.

CLASS II.

THE MANAGERS of the STATE-LOTTERY assure the Public, that the second Class of the SEMI-ANNUAL LOTTERY will positively commence drawing on the day appointed, viz. On Thursday the 13th of October next, or sooner, if the Tickets shall be disposed of. As the Managers have in their several monthly Lotteries commenced drawing at the hour assigned, so they are determined to be equally as punctual in this.

S C H E M E.

NOT TWO BLANKS TO A PRIZE.

25,000 TICKETS, at Five Dollars each, are 125,000 Dollars, to be paid in the following Prizes, subject to a deduction of twelve and an half per cent. for the use of the Commonwealth.

PRIZES.	DOLLARS.	is	DOLLARS.
1 of	10000	are	10000
2	3000		6000
3	2000		6000
6	1000		6000
10	500		5000
30	200		6000
80	100		8000
90	50		4500
100	40		4000
120	30		3600
161	20		3200
200	10		2000
7585	5		60680

8388 Prizes.	125000
16612 Blanks.	
25000 Tickets.	

TICKETS in the above CLASS may be had of the several MANAGERS, who will pay the prizes on demand; of the TREASURER of the Commonwealth; of JAMES WHITE, at his Book-store, Franklin's Head, Court-street—and at other places, as usual.

BENJAMIN AUSTIN, jun.
DAVID COBB,
SAMUEL COOPER,
GEORGE R. MINOT,
JOHN KNEELAND, } MANAGERS.

Boston, April 14, 1791.

Public Notice is hereby given,

to all whom these presents shall come, or in any wise concern, That JAMES GARDNER, late of Wilmington, North-Carolina, deceased, did make four promissory notes payable to SAMUEL JACKSON, of Philadelphia, Merchant, all bearing date the 19th July, 1785. one for three hundred and seventy-one pounds, payable in six months—one for seven hundred and forty-two pounds, in nine months—one for seven hundred and forty pounds, in twelve months—and one for seven hundred and forty-five pounds thirteen shillings and three-pence, in fifteen months, amounting in the whole to two thousand five hundred and ninety-eight pounds thirteen shillings and three-pence, and payable in produce at Wilmington:—Which said notes have been assigned by the said Samuel Jackson to THOMAS MACKIE and Co. and JAMES HOOD, Merchants, Philadelphia, and have since, in the life-time of the said Gardner, by him been accounted for and paid in part to the amount of two thousand and forty-seven pounds fifteen shillings and six-pence, to the said THOMAS MACKIE, and Co. in proof of which the subscribers have sufficient vouchers.

These are therefore to caution all persons from purchasing said notes as they will not be taken up.

THOMAS WRIGHT,
ROBERT SCOTT,
M. R. WILLKINGS, } Executors.

Wilmington, North-Carolina, 27th May, 1791.

Blank Powers to receive the Interest, and for the transfer of the principal of public debt, agreeable to the Rules established in the Treasury Department: Also Blanks for abstracts of Certificates, to be sold by the Editor.

A YOUNG Gentleman, who was bred to business, and can be favorably recommended, intending to visit the Manufactories in the South of France, the ensuing Winter, will accept of Orders for Goods, and execute them on a moderate Commission.

N. B. He will continue there, if encouraged.—Applications directed to A. Z. and left at the Printers, will be punctually attended to.

Philad. August 6, 1791.

(cpt)

All persons concerned will be pleased to take notice that the following advertisement has been varied from that published in our paper of the 23d of March.

Treasury Department.

MARCH 22, 1791.

NOTICE is hereby given, that Proposals will be received at the office of the Secretary of the Treasury, until the first Monday in September next inclusive, for the supply of all rations, which may be required for the use of the United States, from the first day of January to the thirty-first day of December, 1792, both days inclusive, at the places, and within the districts herein after mentioned, viz.

At any place or places, betwixt Yorktown in the State of Pennsylvania and Fort Pitt, and at Fort Pitt.

At any place or places, betwixt Fort Pitt and Fort McIntosh, on the River Ohio, and at Fort McIntosh.

At any place or places, betwixt Fort McIntosh and the mouth of the River Muskingum, and at the mouth of the River Muskingum.

At any place or places, betwixt the mouth of the River Muskingum, and up the said River to the Tuscarawas, and at the Tuscarawas, and thence over to the Cayoga River, and down the said River to its mouth.

At any place or places, betwixt the mouth of the River Muskingum, and the mouth of the Scioto River, and at the mouth of the said River Scioto.

At any place or places, betwixt the mouth of Scioto River, and the mouth of the great Miami, at the mouth of the great Miami, and from thence to the Rapids, on the Falls of the Ohio, and at the said Rapids.

At any place or places, betwixt the mouth of the great Miami, up the said Miami, to and at Piquetown, and thence over to the Miami Village, on the river of the same name which empties into Lake Erie.

At any place or places from the rapids of the Ohio, to the mouth of the Wabash, thence up the said Wabash to Post St. Vincennes, at Post St. Vincennes, and thence up the said river Wabash, to the Miami village, before described.

At any place or places, from the mouth of the Wabash river to the mouth of the river Ohio.

At any place or places, on the east side of the river Mississippi, from the mouth of the Ohio river, to the mouth of the Illinois river.

At any place or places, from the mouth of the Miami river to the Miami Village.

At any place or places, from the Miami Village to Sandusky, and at Sandusky, and from Sandusky to the mouth of Cayoga river.

At any place or places, betwixt Fort Pitt and Venango, and at Venango.

At any place or places, betwixt Venango and Le Beuf, and at Le Beuf, betwixt Le Beuf and Presq'Isle, at Presq'Isle, and betwixt Presq'Isle and the mouth of Cayoga river.

At the mouth of Cayoga river, and at any place or places, on the route from Fort Pitt, to the mouth of Cayoga river, by the way of Big Beaver creek.

At any place or places, on the east side of the Mississippi, between the mouth of the Ohio and the river Margot inclusively.

At any place or places, from the said river Margot, to the river Yazous inclusively.

At any place or places, from the mouth of the river Tennessee, to Ocochappo or Bear creek, on the said river inclusively.

Should any rations be required at any places, or within other districts, not specified in these proposals, the price of the same to be hereafter agreed on, betwixt the public and the contractor.

The rations to be supplied are to consist of the following articles, viz.

One pound of bread or flour,
One pound of beef, or $\frac{3}{4}$ of a pound of pork,
Half a jill of rum, brandy or whisky,
One quart of salt,
Two quarts of vinegar, } per. 100 rations.
Two pounds of soap,
One pound of candles,

ALSO, That Proposals will be received at the said office until the first Monday in September next, inclusive, for the supply of all rations which may be required for the use of the United States, from the first day of January to the thirty-first day of December, 1792, both days inclusive, at Springfield, in the State of Massachusetts, and the Post of West-Point, in the State of New-York.

The rations to be supplied, are to consist of the same articles as are above mentioned.

ALSO, That proposals will be received at the said office, until the 1st Monday in September next inclusive, for the supply of all rations, which may be required for the use of the United States, from the 1st day of January to the 31st day of December, 1792, both days inclusive, at the places, and within the districts herein after mentioned.

At the post on the river Saint Mary, at present commanded by Capt. Henry Burbeck.

At the post on the river Altamaha, at present commanded by Capt. John Smith.

At the post on the river Oconee, at present commanded by Capt. Joseph Savage.

At the post on the river Apalachee, at present commanded by Capt. Michael Rudolph.

At any place or places from the Rock Landing on the Oconee, up to the mouth of the main fourth branch of the said river, from the said mouth up to the source of the said main fourth branch, and from thence to the Currahee mountain.

At any other place or places within the State of Georgia which may hereafter be occupied as permanent posts by any troops of the United States.

And for rations deliverable on the march to such future posts. The rations are to be furnished in such quantities as that there shall at all times, during the said term, be sufficient for the consumption of the troops at each of the said posts, for the space of at least two months in advance, in good and wholesome provisions.

The rations to be supplied are to consist of the same articles, as are above mentioned.

It is to be understood in each case, that all losses sustained by the depredations of the enemy, or by means of the troops of the United States, shall be paid for at the prices of the articles captured or destroyed, on the depositions of two or more creditable characters, and the certificate of a commissioned officer, ascertaining the circumstances of the loss, and the amount of the articles for which compensation is claimed.

The contracts for the above supplies will be made either for one year, or for two years, as may appear eligible. Persons disposed to contract will therefore confine their offers to one year, or they may make their propositions so as to admit an election of the term of two years.

The proposals may be made for the whole of the above posts together, or separately for Springfield, for West-Point, for Yorktown, and the seventeen places following it, and for the posts in Georgia; and they must specify the lowest price per ration, for prompt payment.

The JOURNAL of the THIRD SESSION of the SENATE of the UNITED STATES, may be had of the Editor hereof.